



UNITED STATES MARINE CORPS

1ST CIVIL AFFAIRS GROUP
FORCE HEADQUARTERS GROUP
MARINE FORCES RESERVE
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I&I

30 Sept 21

From: Inspector Instructor, 1st Civil Affairs Group

To: (b)(6) 2111 USMC

Subj: ADVISEMENT AND ACKNOWLEDGMENT OF RIGHTS ICO (b)(6)
(b)(6) 2111 USMC

Ref: (a) Military Protective Order dtd 11 February 2021
(b) Article 31, Uniform Code of Military Justice

1. On 11 February 2021, you were issued a Military Protective Order. I am reviewing the terms of the Military Protective Order in your case to determine whether the order should be modified or terminated.

2. You may submit documents relevant to the Military Protective Order for my consideration, should you desire to do so. As an example, documents relevant to the Military Protective Order may include, but are not limited to, witness statements, civil court records and investigative materials, health records, and other evidence that you believe tends to prove that the terms of the Military Protective Order should be modified. You may also include a written statement. I will not accept oral statements, nor will I question you about this matter. If you wish to make an oral statement about this matter or answer any questions, you may contact the Naval Criminal Investigative Service.

3. You are advised, prior to submitting any matters, that you are suspected of the offense of Sexual Assault of a Child in violation of Article 120b, Uniform Code of Military Justice (UCMJ). Accordingly, before you may submit matters or provide a written statement, you must first be advised of your rights under Article 31, UCMJ:

a. You have the right to remain silent.

b. Any matters you submit or statement you make may be considered by the convening authority and used as evidence against you in trial by court-martial.

c. You have the right to consult with a lawyer/counsel prior to submitting any matters or making any statement. This lawyer/counsel may be a civilian lawyer retained by you at no expense to the government, a military lawyer appointed to act as your counsel at no cost to you, or both.

d. You have the right to have such retained civilian lawyer and/or appointed military lawyer review any matters you submit or be present during any period of questioning.

e. If you are questioned without a lawyer present, you have the right to stop answering questions at any time.

4. If you elect to waive your rights, you must sign and date the below acknowledgment of rights. You may provide documents and written matters directly to me. Alternatively, your lawyer may submit matters on your behalf via the Office of the Staff Judge Advocate, Marine Forces Reserve by email (b)(6)

5. If you decline to waive your rights, I will not hold such declination against you in any way, nor will I draw any inference adverse to you.

(b)(6)

From:

(b)(6)

2111 USMC

To: Inspector Instructor, 1st Civil Affairs Group

Subj: ADVISEMENT AND ACKNOWLEDGMENT OF RIGHTS ICO

(b)(6)

(b)(6)

2111 USMC

Ref: (a) Military Protective Order dtd 11 February 2021
(b) Article 31, Uniform Code of Military Justice

Encl: (1) Matters for Consideration

1. On 4 Oct 2021 I was advised that the Inspector Instructor, 1st Civil Affairs Group, was reviewing the terms of the Military Protective Order in my case to determine whether the order should be modified or terminated.

2. I was advised, prior to submitting any matters, that I am suspected of the offense of Sexual Assault of a Child in violation of Article 120b, UCMJ. I was advised of my rights under Article 31, UCMJ verbally and in writing. I certify and acknowledge that I have read the above statement of my rights and fully understand them.

3. The enclosed documents are provided freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

(b)(6)

With full understanding of my rights, I make the following statement freely, voluntarily, and without any promises or threats made to me.

I, (b)(6) request removal of the Military Protective Order (MPO) signed and issued to me on 11 February 2021. This matter has been going on for 564 days. The first MPO I received was in effect for 103. The second has now been in place for 236 days. During this time I have missed significant milestones in my daughter's life and other meaningful dates. I have not been present for my daughter's 4th and 5th birthdays. I have not been allowed to spend the last two Father's Days with her. I have missed her first day of school or be present for her recent surgery.

In addition to not being able to spend time with my daughter, this MPO has increased the monetary cost of my divorce. The civilian court judge has chosen not to rule on my divorce and child custody until the NCIS investigation is complete and the MPO is formally removed. I have had court sessions in which nothing is decided because of the ongoing MPO and NCIS investigation but I still have to pay my lawyer for these sessions. I have spent over \$40,000 in lawyer fees. My parents have had to take money out of their retirement funds to assist me with paying these fees.

I respectfully request that the MPO dated 11 February 2021 be removed in order to reunite with my daughter, finalize my divorce and custody proceedings, and alleviate the financial burden this process has put on my family.

(b)(6)